

Application Number: 10/524,279

Amendment dated: March 23,2010

## **REMARKS AND ARGUMENTS**

### **Remarks:**

Claims 1, 2, 5 and 7 are pending and have been amended to more clearly define the invention and/or to improve clarity and/or correct clerical errors. Claim 6 has been deleted. No claims have been added. No new matter has been added.

In claim 1, the amended phrase “locating said anvil means at said product” is supported in paragraph [0074].

In claim 1, the amended phrase “retrieving said anvil means from said band” is supported in paragraph [0080].

In claim 1, the amended phrase “welding said hologram to said band with a welding means supported by said anvil” is supported in paragraph [0037].

### **Arguments**

Claims 1, 2 and 6 have been rejected as unpatentable over Wenk, Tinklenberg, Fortsch, Larsen, Stenhouwer, Stowman, and in further view of Susi, Spratt, Spencer and Hollander and in further view of Ruell, Fukami and Malosse.

Claim 5 has been rejected as unpatentable over the aforementioned publications and in further view of Wescombe, Merle and Propst.

Claim 7 has been rejected as unpatentable over the publications applied to claims 1,2 and 6, above and in further view of Swett, Mogam Holdings, Diamond, and in further view of Sayyadi, Tamura and Whitecar.

None of the cited publications relate to a tag comprising a hologram for marking food products attesting to their (the food products’) authentication. Only Ruell discloses a hologram and that is in connection to an identification card which is (a) a field quite different than the food

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industry and a product quite different than a food product; and (b) serves to provide authentication to the card (data thereon/in) rather than a food item to which the card is attached (“an image is formed in the light reflected by the hologram which can be observed with the naked eye and the image can thus be compared, for example, with items of information on the other printed parts of the identification card.”; Ruell: Summary, 2<sup>nd</sup> paragraph thereof). Furthermore, there is no mention of use of an anvil as there is no need for such in the application of Ruell because the card receiving the hologram is quite different than a food product.

Moreover, in the citations which mention an anvil, the anvil is used to support the band/tag during welding of the band/tag, or the like, to itself, i.e. to close or secure the band/tag; not to support the welding of the hologram to the band, as defined in claim 1 of the present method.

In light of the above, Applicant hopes that the application with the claims as amended will be accepted. Issue of a notice of allowance for the pending claims is respectfully requested.

Respectfully submitted,

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Applicants

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